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Cooperation between the United Nations and the Asian-African Legal Consultative Committee

Cooperation between the United Nations and the Asian-African Legal Consultative Committee

Report of the Secretary-General**

Introduction

1. The present report is submitted pursuant to paragraph 5 of General Assembly resolution 53/14 of 10 November 1998, entitled "Cooperation between the United Nations and the Asian-African Legal Consultative Committee".

2. The General Assembly, by its resolution 35/2 of 13 October 1980, had invited the Asian-African Legal Consultative Committee (AALCC) to participate in its sessions and its work in the capacity of an observer. Subsequently, AALCC established two permanent observer missions to the United Nations, in New York and Vienna.

3. On the occasion of the commemoration of the twenty-fifth anniversary of AALCC, the General Assembly, in its resolution 36/38 of 18 November 1981, had requested the Secretary-General of the United Nations to carry out consultations with the Secretary-General of AALCC with a view to further strengthening and widening the scope of cooperation between the two organizations. The item had been considered by the Assembly annually until its forty-first session, and thereafter biannually. It was last considered at the fifty-third session.

4. At that session, in its resolution 53/14, the General Assembly had noted with satisfaction the continuing efforts of AALCC, through its programmes and initiatives, towards strengthening the role of the United Nations and its various organs, including the International Court of Justice. It had also noted with satisfaction the commendable progress achieved towards enhancing cooperation between the United Nations and AALCC in wider areas. Moreover, the Assembly had noted with appreciation the decision of AALCC to participate actively in the programmes of the United Nations Decade of International Law and the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court. The Assembly had decided to include the item entitled "Cooperation between the United Nations and the Asian-African Legal Consultative Committee" in the provisional agenda of its fifty-fifth session.

A. Cooperative framework

5. Pursuant to the cooperation framework agreed upon by the two organizations, consultations have

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routinely been conducted on matters of common interest, in particular regarding representation at meetings and sessions, exchange of documentation and information, and the identification of areas where the supportive role of AALCC might be most productive. During the period under review, comprising the fifty-third and fifty-fourth sessions of the General Assembly, a meeting was held between the Secretary-General of AALCC and the Legal Counsel of the United Nations. On the occasion of the thirty-eighth (Accra, 1999) and thirty-ninth (Cairo, 2000) sessions of the Committee, the Secretary-General of the United Nations sent messages to those meetings highlighting matters of mutual concern for both organizations.

6. AALCC continues to orient its work programmes so as to accord priority to matters of interest to the United Nations and to initiate action with a view to strengthening the role of the United Nations. The areas of cooperation apart from the field of international law, now include matters relating to economic, environmental and humanitarian law and peaceful settlement of disputes.

B. Representation at meetings and conferences

7. During the period under review, AALCC was represented at the fifty-third and fifty-fourth sessions of the General Assembly.

8. Other meetings at which AALCC was represented include the United Nations Conference on Trade and Development (UNCTAD) partners for Development Conference, 1998; the fiftieth (1998) and fifty-first (1999) sessions of the International Law Commission; the thirty-second session of the United Nations Commission on International Trade Law (UNCITRAL), 1999; the second session of the Preparatory Committee for the International Criminal Court, 1999; the centennial meeting of the first International Peace Conference, held at The Hague and St. Petersburg, 1999; United Nations Environment Programme (UNEP) Regional Workshop for Policy-makers for Institutional Design of the Kyoto Protocol Cooperative Implementation Mechanisms, October 1999; AALCC Seminar on Human Rights in the United Nations System, New Delhi, 1999; international conference on Electronic Commerce and Intellectual Property organized by the World Intellectual Property Organization (WIPO), 1999; and the 1999 meeting of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime.

9. Representatives of various United Nations bodies participated in the thirty-eighth and the thirty-ninth sessions of AALCC. These included the representatives of the International Law Commission (ILC), the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Population Fund (UNFPA), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and in 2000 UNEP. The Cairo session of the Consultative Committee held in 2000 was attended by Manuel Rama-Montaldo, Deputy Director of the Codification Division, Office of Legal Affairs of the United Nations Secretariat.

C. Strengthening the role of the United Nations and the United Nations Decade of International Law

10. In 1985, AALCC prepared a study on "Strengthening the Role of the United Nations through rationalization of its functional modalities with special reference to the General Assembly" (A/40/726 and Corr.1, annex), providing an overall assessment of the functioning of the United Nations. Subsequently a set of recommendations on the improvement of the functioning of the General Assembly was prepared by the AALCC secretariat (A/41/437, annex). Since then, the Consultative Committee has continued to follow up the implementation of the relevant resolutions relating to this subject.

11. Pursuant to General Assembly resolution 44/23 of 17 November 1989, in which the Assembly declared the period 1990-1999 as the United Nations Decade of International Law, AALCC prepared a paper identifying a number of issues involved and activities that might be undertaken during the Decade. At its twenty-ninth session, held at Beijing in March 1990, AALCC urged greater collaboration with the United Nations in that regard. A report outlining the role AALCC could play in the realization of the objectives of the Decade was submitted to the Secretary-General of the United Nations (see A/45/430, annex).

12. Thereafter, in pursuance of the relevant resolutions of the General Assembly, AALCC was invited to undertake activities in the implementation of the programme for the third term of the Decade and to

provide information in that respect to the Secretary-General for transmission to the General Assembly.

13. During the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court held in Rome from 15 to 17 June 1998, with a view to formulating AALCC's views on the subject, Deputy Secretary-General Wafik Zaher Kamil (now Secretary-General) convened two meetings which were attended by representatives of both AALCC member States and non-member States, who had before them, an overview of the draft statute of the Court prepared by the AALCC secretariat.

14. In pursuance of the its commitment to the establishment of the International Criminal Court, Mr. Kamil, representing AALCC, participated in the second session of the Preparatory Commission for the International Criminal Court, held in New York from 26 July to 13 August 1999.

15. A two-day meeting to consider three preliminary reports of the themes related to the centennial celebrations of the first International Peace Conference was held at New Delhi on 11 and 12 February 1999. AALCC was one of the six regional organizations chosen by the organizers of the centennial celebrations to discuss the preliminary reports on the three themes, which were: peaceful settlement of disputes: prospects for the twenty-first century; international humanitarian law and laws of war; and development of international law relating to disarmament and arms control since the first Hague Peace Conference held in 1899. The meeting was attended by representatives and experts from several AALCC member States and non-Member States; Hans Corell, Under-Secretary-General and Legal Counsel of the United Nations; the Executive Secretary of the Organizing Committee for the centennial conference; representatives of the International Committee of the Red Cross (ICRC) and the League of Arab States; and officials of the AALC secretariat.

16. In pursuance of the mandate of the thirty-eighth session of AALCC directing the secretariat to participate in the centennial of the first International Peace Conference, Mr. Mohammed Reza Dabiri, currently Secretary-General of AALCC, attended both the Hague and the St. Petersburg Conferences respectively.

D. Measures designed to further the work of the Sixth Committee of the General Assembly

17. In fulfilment of its function of rendering assistance to its member States and with a view to facilitating their active participation in the work of the General Assembly, AALCC prepares on a regular basis notes and comments on selected items on the agenda of the General Assembly, including those related to the work of ILC.

18. During the period under review, consultations were arranged during the General Assembly sessions between the representatives of AALCC member States and representatives of other interested States to provide opportunities for an exchange of views on matters of common interest. During the fifty-third session of the General Assembly, AALCC convened a meeting of legal advisers which was attended by most of the legal advisers participating in the work of that session. Speakers addressing the meeting in addition to representatives of AALCC member States included the President and Vice-President of the International Court of Justice, Registrar of the Court, the Chairman of the Sixth Committee, Chairman of ILC, the Chairman of the Committee of the Whole of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, the Chairman of the Preparatory Committee for the International Criminal Court, the Chairperson of the Working Group on the United Nations Decade of International Law, and the United-Secretary-General and Legal Counsel of the United Nations.

19. During the fifty-fourth session of the General Assembly, AALCC continued to follow closely the work of ILC and attached great significance to the items on its agenda, being of particular importance to its members. Bearing in mind the ILC's informal document entitled "Long-term programme of the ILC: feasibility study of the law of environment", a Special Meeting on the Effective Means of Implementation, Enforcement and Dispute Settlement in International Environmental Law was organized during the Accra (1999) session of the Consultative Committee. UNEP was represented at the meeting by Donald Kaniaru, Acting Director, Division of Environmental Policy Development and Law. The topic evinced keen interest among AALCC member States.

20. Taking into consideration the work of the Sixth Committee during the fifty-fourth session of the General Assembly, the topic "Jurisdictional immunities of States and their properties" was included in the agenda of AALCC at its thirty-ninth session, held at Cairo. At the session, Gerhard Hafner, Chairman of the working group of the Sixth Committee on the topic made a very comprehensive statement. The Consultative Committee expressed its appreciation of the work of the working group of the Sixth Committee on the topic and urged AALCC to participate actively in its work.

21. Also at the thirty-ninth session, the AALCC secretariat was requested to consider the feasibility of compiling national legislation, jurisprudence and practices of the member States on the item of jurisdictional immunities and to examine the feasibility of organizing a workshop on the subject with the participation of legal advisers and jurists from AALCC member States as well as other interested countries.

E. Measures to promote the ratification and implementation of the United Nations Convention on the Law of the Sea

22. AALCC continues to monitor closely the work and functioning of the International Tribunal for the Law of the Sea, and the International Seabed Authority and other related organs. At its thirty-eighth session the Committee urged members who had not yet ratified the United Nations Convention on the Law of the Sea to do so and stressed the need to adopt a common policy and strategy for the interim period before commercial exploitation of the deep seabed minerals becomes feasible. In that regard, AALCC member States were urged to take an "evolutionary approach", in particular with regard to the "initial function" of the International Seabed Authority so as to make the Authority useful to the international community in general and to developing countries in particular.

23. Member States were also urged to consider making written declarations with regard to their choice of the means for the settlement of disputes listed in article 287 of the Convention. More importantly, AALCC directed the secretariat to consider providing technical assistance to member States in their representation at the International Seabed Authority and to monitor the progress of work of the Authority on the formulation of the regulations for prospecting and exploration of polymetallic nodules in the international seabed area.

24. With the increasing number of maritime delimitation cases being brought before the International Court of Justice and the International Tribunal for the Law of the Sea, the study of the law of the sea remains a subject of special importance to AALCC member States.

F. International economic cooperation for development

25. During the period under review, AALCC continued to monitor the progress of work of UNCITRAL, within the established collaborative framework. The AALCC secretariat prepared notes and comments on the work of UNCITRAL at the thirtieth and thirty-first sessions of the Commission. At its thirty-eight session, the Consultative Committee, while expressing its appreciation for the substantial progress achieved in the Working Group on Assignments in Receivables Financing, expressed the hope that UNCTIRAL would be able to adopt the draft Convention on the subject by 2000. The Committee also urged its member States to consider adopting, ratifying or acceding to other texts prepared by UNCITRAL.

26. For consideration at the thirty-eight and thirty-ninth sessions, the AALCC secretariat prepared progress reports covering the legislative activities of the United Nations and other trade-related international organizations involved in the development of international law.

27. Under a scheme developed by AALCC for the settlement of disputes in economic and commercial transactions, regional arbitration centres have been established in Cairo, Kuala Lumpur, Tehran and Lagos to assist in administering national and international arbitration cases based on the UNCITRAL Arbitration Rules.

28. During the period under review, AALCC organized a two-day seminar on "Certain Aspects of the Functioning of the World Trade Organization (WTO) Dispute Settlement Mechanism and other Allied Matters" at New Delhi on 17 and 18 November 1998. In addition to representatives from member

States and observer States, the meeting was attended by senior Indian government officials and experts in the field and representatives of the European Commission, UNCTAD, WTO as well as the Director of the Kuala Lumpur Regional Arbitration Centre. AALCC continues to be actively engaged in monitoring the work and functioning of WTO, which is a subject of importance to the region.

29. Concomitant with the fortieth anniversary of the founding of WIPO, AALCC, in collaboration with WIPO, organized a seminar entitled "Issues Relating to the Implementation of Intellectual Property Rights" at New Delhi on 15 and 16 November 1999. Besides member States and observers, the meeting was attended by a number of experts, lawyers and other organizations. An AALCC publication entitled "Report of the Seminar relating to Certain Aspects of the Functioning of the WTO's Dispute Settlement Mechanisms and Other Allied Matters" was released at the meeting.

30. In conjunction with its thirty-ninth session, AALCC organized a one-day special meeting on "Electronic Commerce: Legal Issues and its Impact on Developing Countries", with financial and technical assistance from WIPO. The meeting was attended by a number of experts in the field from member States as well as representatives from WIPO, WTO and other international bodies. The substantive discussions focused on important issues relating to legal and financial aspects of e-commerce, intellectual property rights, contractual obligations, standards of regulations and institutional dispute settlement involving mediation and arbitration.

G. Question of refugees

31. AALCC has been actively engaged in the study of refugee law and has been working in close cooperation with UNHCR for that purpose. In December 1996, UNHCR and AALCC organized a seminar in Manila to commemorate the thirtieth anniversary of the Principles on the Status and Treatment of Refugees, adopted by AALCC in Bangkok in 1966. The seminar had recommended that the text of the Bangkok principles and the two addenda thereto of 1970 and 1987 should be revised and updated in the light of the experience and developments over the past 30 years. It was followed by a meeting of experts held at Tehran in March 1998. The recommendations of the meeting of experts were subsequently submitted for consideration at the New Delhi, Accra and Cairo sessions.

32. At the Cairo session, AALCC adopted a resolution requesting the Secretary-General to convene an open-ended working group of interested member States within six months, with the technical assistance of UNHCR, to undertake a final review of the revised consolidated text of the Bangkok Principles. The Consultative Committee also urged member States to forward their comments on the draft revised consolidated text to the Secretary-General so that it might be submitted for adoption at the fortieth session of AALCC.

33. In pursuance of the above, officials of the AALCC secretariat and the representative of UNHCR met in May 2000 to discuss the modalities for organizing the proposed open-ended working group meeting. It was decided that a three-day meeting, with the technical and financial assistance of UNHCR, would be held in the second week of November 2000, probably in Cairo.

H. Other issues before the Consultative Committee

1. Environment and development

34. AALCC maintains a continuing interest in the analysis of international instruments adopted at the 1992 United Nations Conference on Environment and Development. Studies are being undertaken on the legal aspects of the United Nations Framework Convention on Climate Change, the Convention on Biological Diversity and the Desertification Convention. During the period under review, the AALCC secretariat was directed to continue to monitor the progress in the implementation of Agenda 21 in general and the three Conventions in particular.

35. In 1999, the AALCC secretariat, in collaboration with UNEP, issued a publication entitled *Asian African Handbook on Environmental Law*, which contains a comprehensive collection of global and regional environmental instruments of relevance to the States of Asia and Africa.

2. Legal protection of migrant workers

36. The item entitled "Legal Protection of Migrant Workers" has been on the work programme of AALCC

since 1996. The Secretary-General has been requested to convene an open-ended working group for an in-depth consideration of issues related to migrant workers.

3. Extraterritorial application of national legislation: sanctions imposed against third parties

37. The item entitled "Extraterritorial application of national legislation: sanctions imposed against third parties" continues to be on the agenda of the Consultative Committee. During the period under review, the Secretariat was requested to continue to study the legal issues relating to the item and also to examine the issue of executive orders imposing sanctions against target States. Additionally, member States have been urged to provide relevant information and materials to the secretariat. The AALCC secretariat continues to study the legal aspects of this issue.

4. Deportation of Palestinians and other Israeli practices, among them the massive immigration and settlement of Jews in all Occupied Territories in violation of international law, particularly the Fourth Geneva Convention of 1949

38. The item entitled "Deportation of Palestinians and other Israeli practices, among them the massive immigration and settlement of Jews in all Occupied Territories in violation of international law, particularly the Fourth Geneva Convention of 1949", as in its current form following the amendments to the item adopted at the thirty-seventh and thirty-ninth sessions, has been on the agenda of AALCC since 1989. The secretariat paper submitted at the Cairo session called for implementation of the General Assembly and Security Council resolutions on the subject as well as other agreements signed between various parties to ensure the establishment of a just and lasting peace in the Middle East region.

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Third United Nations Conference on the Least Developed Countries

State of preparations for the Third United Nations Conference on the Least Developed Countries

Report of the Secretary-General**

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** The present report is being submitted late because the secretariat of the United Nations Conference on Trade and Development had to await the outcome of the first session of the Intergovernmental Preparatory Committee for the Third United Nations Conference on the Least Developed Countries, which was held in New York from 24 to 28 July 2000.

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I. Introduction

1. In its resolution 52/187, the General Assembly decided to convene the Third United Nations Conference on the Least Developed Countries at a high level in the year 2001 to assess the results of the Programme of Action for the Least Developed Countries for the 1990s at the country level; to review the implementation of international support measures, particularly in the areas of official development assistance, debt, investment and trade; and to consider the formulation and adoption of appropriate national and international policies and measures for sustainable development of the least developed countries and their progressive integration into the world economy. Furthermore, the General Assembly decided that the United Nations Conference on Trade and Development (UNCTAD) would be the focal point for the preparation for the Conference.

2. In its resolution 53/182, the General Assembly welcomed and accepted the generous offer of the European Union to host the Conference. The General Assembly also decided to designate the Secretary-General of the United Nations Conference on Trade and Development (UNCTAD) as the Secretary-General of the Conference and requested him in that capacity to make the necessary preparations. The General Assembly further decided to convene the Conference in the first semester of the year 2001 for a duration of seven days, at a venue and time to be determined by the Secretary-General of the Conference, in consultation with the European Union. In paragraph 1 (b) of its resolution 52/187, the General Assembly requested the Secretary-General of the Conference to organize the Intergovernmental Preparatory Committee in two parts and three expert-level preparatory meetings.

3. In its resolution 54/235, the General Assembly decided that the meeting of the Intergovernmental Preparatory Committee would be held in New York in two parts, in the third quarter of 2000 and the first quarter of 2001, each for five working days. The General Assembly emphasized the importance of the country-level preparations, and noted with appreciation in this regard the initiative of the European Union to assist the least developed countries in their preparations at the country level through the assistance of their representatives in those countries; it invited the World Bank, the United Nations Development Programme (UNDP) and all other relevant bodies and agencies of the United Nations system to provide support to country-level preparations through their field offices in the least developed countries, and called upon the development partners to support this preparatory process.

4. Furthermore, the General Assembly called upon the least developed countries, together with their development partners, in particular UNDP and the World Bank, as appropriate, to link the forthcoming round-table and consultative group meetings to the country-level preparatory process for the Conference and to ensure that those meetings made substantive contributions to the Conference. The General Assembly requested the Administrator of UNDP, in his capacity as Convener of the United Nations Development Group, to ensure the full involvement of United Nations resident coordinators and country teams in least developed countries in preparation for the Conference, in particular at the country level. The General Assembly also decided to defray the cost of participation of two government representatives from each least developed country in the meetings of the Intergovernmental Preparatory Committee and the Conference itself through the use of extrabudgetary resources, and in the event that those resources proved to be insufficient requested the Secretary-General to consider all other options, including the use of unspent balances from the regular budget for the biennium 1996-1997 as an exceptional measure. The General Assembly decided to include in the provisional agenda of the fifty-fifth session an item entitled "Third United Nations Conference on the Least Developed Countries". Furthermore, the General Assembly requested the Secretary-General to submit a report to it at its fifty-fifth session on the state of preparations for the Conference, taking into account the consideration of the matter at the forty-seventh session of the Trade and Development Board. The present report has been prepared in response to that request. The outcome of the forty-seventh session of the Trade and Development Board on this issue will be subsequently submitted to the General Assembly.

II. State of preparations for the Third United Nations Conference on the Least Developed Countries

A. Date and venue of the Conference

5. It has been agreed, in consultations between the Secretary-General of the Conference and the European Union/Commission, to convene the Conference on the premises of the European Parliament in Brussels during the period 14 to 20 May 2001.

B. Intergovernmental Preparatory Committee sessions

6. The first session of the Intergovernmental Preparatory Committee for the Conference was held at United Nations Headquarters from 24 to 28 July 2000. The Committee considered the substantive and organizational aspects of the preparatory process and the Conference itself.

7. The Intergovernmental Preparatory Committee recommended to the Conference the draft provisional agenda (A/CONF.191/IPC/L.1), and the provisional rules of procedure of the Conference (A/CONF.191/IPC/L.1, Corr.1 and 2). It was proposed that the members of the Bureau of the Committee subsequently also be represented in the Bureau of the Conference, and that the ex officio members of the Bureau of the Committee be associated with the work of the Bureau of the Conference.

8. The Committee endorsed the design and structure of the Conference as presented by the secretariat, and recommended to the secretariat that it consult with the Bureau as modifications were made in the design. The secretariat was requested, after consultations with member States, to present in a timely way to the Intergovernmental Preparatory Committee at its second session a proposal for the final organization and timetable for the Conference.

9. As regards the inter-sessional arrangements, it was agreed that the Conference secretariat would seek active partnership with all relevant international organizations during the preparatory process and the Conference itself.

10. It was stressed that the Intergovernmental Preparatory Committee was the legitimate body to deal with substantive, procedural and other aspects of the Conference that required intergovernmental consideration. Consequently, the draft programme of action would have to be considered by the Committee in New York formally and, as necessary, in informal settings. In that regard, the Chair, in consultation with member States and the secretariat of the Conference, would make the necessary arrangements for informal sessions, as needed, in a flexible, transparent and efficient manner.

11. The Intergovernmental Preparatory Committee further agreed that on the basis of (a) the outcome of its first session; (b) the evaluation report on the Programme of Action prepared by the high-level panel established by the Secretary-General of the Conference; (c) draft country-level programmes of action submitted to the Committee; (d) the report of the high-level meeting on the mid-term global review of the implementation of the Programme of Action held in 1995; (e) the least developed countries 1999 and 2000 reports; and (f) the outcomes of the relevant United Nations conferences; and in cooperation with all agencies concerned, the Conference secretariat would prepare a draft annotated outline of the new programme of action, taking fully into account the work already done by the relevant international organizations, in particular the comprehensive development framework, the United Nations Development Assistance Framework and poverty reduction strategy papers. The assessment and the annotated outline would both be completed by 1 October 2000 and distributed to member States for consideration with a statement on the financial situation for the preparatory process of the Conference. The annotated outline will be reviewed in Geneva on the occasion of the forty-seventh session of the Trade and Development Board (15-18 October 2000).

12. Once the draft annotated outline was agreed in the Trade and Development Board, work would start under the authority of the Chairman of the Intergovernmental Preparatory Committee on the drafting of the new programme of action, in collaboration with relevant agencies to be completed by end-November 2000 and circulated to all member States.

13. The first formal consideration of the draft programme of action would be undertaken at the end of

January 2001. Inputs into the revision of the draft programme of action would include: (a) further submissions of the country-level programmes of action; (b) outcomes of high-level regional events to be organized jointly by the Conference secretariat and the Economic and Social Commission for Asia and the Pacific (ESCAP) in Dhaka in November 2000 and the meeting of African Ministers of Finance and Planning to be organized by the Economic Commission for Africa (ECA) in Addis Ababa in November 2000; and (c) the outcome of the consideration of the report of the Secretary-General to the General Assembly on the status of the preparatory process for the Conference.

14. The Chairman of the Preparatory Committee would hold informal open-ended meetings in February and March 2001, making maximum use of modern telecommunications facilities, with a view to advancing consensus on the text. Major inputs into the text would include (a) final versions of the country-level programmes of action endorsed by the Governments and validated through national preparatory mechanisms; (b) the outcome of the meeting of the private sector to be organized in Oslo during the period 29 to 31 January 2001; (c) the meeting on women to be organized during the third week of February 2001; and (d) NGO preparatory events related to the Conference. Other inputs would also emanate from substantive and advocacy activities in support of the preparation of interactive and parallel events.

15. The final consideration of the draft programme of action for the purpose of recommending the text for consideration by the Conference would be undertaken in New York at the second session of the Intergovernmental Preparatory Committee to be held in the first week of April 2001, in accordance with General Assembly resolution 54/235.

C. Expert-level preparatory meetings

16. As part of the preparatory process for the Conference, the General Assembly decided, in its resolution 52/187, to convene three expert-level preparatory meetings. Accordingly, the Conference secretariat organized expert-level preparatory meetings in Addis Ababa for English-speaking African least developed countries from 27 to 29 March; in Kathmandu for the Asian and Pacific islands least developed countries from 3 to 5 April; and in Niamey, the Niger, from 18 to 20 April 2000 for the French-speaking least developed countries. These meetings were hosted by the Governments of Ethiopia, Nepal and the Niger, and were organized in close collaboration with UNDP, ECA and ESCAP, which provided substantive as well as logistic support for the meetings.

17. The expert meetings reviewed progress in the implementation of the Programme of Action for the Least Developed Countries for the 1990s, as well as country-level preparations and guidelines for preparations of the national programmes of action, and examined the following issues on the basis of background papers prepared by the Secretariat: (a) the challenge of financing growth and development in least developed countries; (b) trade, market access and supply capacity in least developed countries; (c) good governance, stability and integrated national development; and (d) social services delivery. The meetings also considered the guidelines prepared by the Secretariat for the preparation of country-level programmes of action.

18. The reports of the three regional expert-level preparatory meetings were made available at the third inter-agency consultations, the third meeting of the Consultative Forum and the first meeting of the Intergovernmental Preparatory Committee.

D. Other regional-level preparatory activities

19. ECA will organize, in Addis Ababa, a special event on the substantive issues for the Conference during November 2000 at a meeting of ministers of finance and planning.

20. As mandated by the General Assembly in its resolution 54/235, the ESCAP secretariat is planning to hold an intergovernmental regional conference in Dhaka in the fourth quarter of 2000. In order to generate support and broad understanding on matters related to the Programme of Action, this meeting will involve participation of representatives from developing and developed countries as well as international organizations, in addition to those from least developed countries in the region. As the Conference is scheduled to be held in Brussels from 14 to 20 May 2001, the fifth session of the Special Body on Least Developed Countries and Landlocked Developing Countries, which is expected to be held in

the first quarter of 2001, will review the implementation of the Programme of Action for the Least Developed Countries for the 1990s; identify the common issues and future challenges confronting these countries; and propose recommendations to address these concerns.

21. As part of substantive preparations for the regional event, the ESCAP secretariat has prepared subregional studies focusing on finance for development, social issues, external trade and economic infrastructure in least developed countries in South Asia, South-East Asia and the Pacific region under a project funded by the Government of the Netherlands. A regional review paper is currently being prepared.

22. The Organization of African Unity (OAU) will consider issues related to the Conference at the fourth ordinary session of the Economic and Social Commission of the African Economic Community.

E. High-level panel on the assessment of progress in the implementation of the Programme of Action for the Least Developed Countries for the 1990s

23. The Secretary-General of the Conference has established a high-level panel to undertake an assessment of progress in the implementation of the Programme of Action from the perspective of least developed countries and that of development partners. An analysis of past performance will shed light on the most critical constraints, which have impeded the effective realization of the goals of the Programme of Action, and suggest new strategies to solve them. The panel members visited a number of countries in Africa and Asia to gather perceptions of the Programme of Action by all stakeholders. Subsequent visits to donor capitals will follow. The first meeting of the panel took place in Geneva in June 2000, and a follow-up meeting took place in New York in July 2000 to refine the panel's mandate and define the scope, content and focus of its report. The Chairperson of the high-level panel briefed the first session of the Preparatory Committee on the work accomplished by the panel so far. The next meeting of the panel will take place in New York from 11 to 15 September 2000, at which time it is expected to conclude its work and report thereon.

F. Country-level preparations

24. The preparatory process at the country level is a key element in the preparation for the Conference. The Secretary-General of the Conference has emphasized the importance of a comprehensive and participatory preparation process at the country level, leading to the formulation of national-level programmes of action. In order to facilitate the preparatory process at the country level, representatives of the Executive Secretary of the Conference visited several least developed countries. National preparatory committees have been established and local resource persons designated to provide substantive support to these committees. Three regional coordinators have been appointed to provide substantive support to the national preparatory committees and local resource persons. They are based in Dhaka, Dar es Salaam and Yaoundé. Two substantive-issues coordinators, one for English-speaking least developed countries and one for French-speaking least developed countries, have also been recruited. They are based in Geneva and will provide backstopping to the work of the regional coordinators, the local resource persons and the national preparatory committees. The European Union has provided financial support for country-level preparatory process in the least developed countries members of ACP.

25. Progress in country-level preparations is being closely monitored through follow-up missions and through the above-mentioned coordinators. In many countries, it will prove difficult to sustain efforts and momentum without more or less continued technical support and monitoring by the Geneva secretariat. To sustain and ensure an effective follow-up to country-level preparations, the Executive Secretary of the Conference has requested and will be provided with the support of the UNCTAD secretariat as a whole.

G. Consultations with the Government of Belgium and the European Commission

26. The Secretary-General of the Conference and the Executive Secretary of the Conference visited Brussels on 3 and 4 May 2000 to discuss substantive and organizations aspects for the Conference. The visit included meetings with the President of the European Commission and the State Secretary for Development Cooperation of Belgium. This visit sought to address

the following issues and to exchange views on the policy and strategic aspects of the Conference: the role of the Government of Belgium in the preparatory process; the NGO Forum; the potential role of parliamentarians in the preparatory process and at the Conference; and civil society preparations.

H. Second and third inter-agency consultations on the preparatory process for the Conference

27. The second inter-agency meeting on the Conference was held in Geneva on 10 April 2000. The consultations reviewed the progress in the preparatory process for the Conference and exchanged views, on the basis of a note prepared by the Conference secretariat on the nature and scope of the contributions of agencies to the preparatory process for the Conference.

28. A number of concerns were raised during the consultations, including inadequate time for preparation of country programmes of action; the challenges of making the national preparation participatory and broad-based; and the need to link the preparatory process at the country level to other ongoing initiatives, in particular the relationship between country programmes of action and existing annual/five-year perspective plans.

29. As regards the contribution by agencies to the preparatory process, the note by the Secretariat highlighted four main headings under which the agencies could make their contributions at various stages (national, regional and global). The indicative, thematic and/or sectoral topics include (a) governance, peace and social stability; (b) the challenge of financing growth and development in least developed countries; (c) overcoming marginalization and enhancing least developed countries' productive capacities through trade and investment; and (d) enhancing programme implementation performance through establishing an operational link between the global Programme of Action and the country-level Programme of Action: country-specific/regional round-table meetings and selective country success stories or best practices. It was agreed that, in consultation with the Conference secretariat, agencies would enlist their interests and prepare their proposals on contributions and inputs on the basis of the themes/sectoral topics indicated by the Conference secretariat.

30. Representatives of organizations and agencies expressed support to the preparatory process and the Conference itself. Agencies with offices in least developed countries stated that they had advised their field offices to support the preparatory work at the national level. The representatives of organizations and agencies enumerated the activities being undertaken by their respective organizations in favour of least developed countries.

31. The third inter-agency consultation on the Conference was held in New York on 20 July 2000 (see A/CONF.191/IPC/15). The meeting exchanged views on the progress in the preparatory process for the Conference and issues before the first session of the Intergovernmental Preparatory Committee and on the preparation of country-level programmes of action, and received reports from organizations and agencies on their contributions to the preparatory process for the Conference and the Conference itself. A number of organizations and agencies informed the meeting on their activities in favour of least developed countries and in support of the preparatory process of the Conference. For example, the Food and Agriculture Organization of the United Nations announced that it was prepared to organize an interactive debate at the Conference on the theme of food security, rural development and sustainable natural resource management, the Joint United Nations Programme on HIV/AIDS stated that it would be task manager for the parallel event on human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS), the International Telecommunication Union was exploring the possibility of co-managing a parallel event on "e-commerce" and the United Nations Population Fund (UNFPA) would participate in the organization of both the interactive debate on social services delivery and the other parallel events. Given UNFPA's role as Chair of the Task Force on Basic Social Services for All, it would play a key role in organizing and coordinating the interactive debate on social services.

I. Second and third meetings of the Consultative Forum on the preparatory process for the Conference

32. The main issues addressed at the second meeting of the Consultative Forum related to the review of progress in the preparatory process for the Conference, the consideration of organizational and substantive issues, and consultations between the Conference secretariat and Forum members on resource mobilization for the preparatory process.

33. There was general agreement among members of the Consultative Forum that the key to a successful Conference and meaningful outcome in Brussels lay in high quality, nationally owned broad-based preparatory process and country programmes of action. The need to focus the process on raising awareness and generating support in donor countries to enable their representatives to undertake new commitments was emphasized. In addition, the Conference should serve as a conduit for adoption of new concessions in favour of least developed countries. To secure such concessions, the need for strong advocacy work in donor countries prior to the Conference was emphasized.

34. The Forum at both meetings emphasized the urgent need for adequate resources to finance the preparatory process and the Conference. An appeal was addressed to donors who had not yet made contributions to do so.

35. The third meeting of the Consultative Forum was held in New York on 21 July 2000 (see A/CONF.191/IPC/14). The meeting provided an opportunity to exchange views on progress in the preparatory process for the Conference at the country, regional and global levels, and on the structure and design of the Conference.

36. A number of issues were raised during the meeting, related to whether a clear linkage would be established between the country programmes of action and the global Programme of Action as an important test of ownership; what the outcome should be of the regional round tables; the understanding on the part of least developed countries that in Brussels they would present their experiences and problems with the previous Programme of Action, on the basis of which donors would be expected to propose a minimum of measures in favour of least developed countries; the importance of an in-depth analysis of why the previous Programme of Action had failed to bring about the desired results, pinpointing the real responsibilities of least developed countries and donors for the lack of concrete action; the importance of creating linkages between the Conference and upcoming events, such as the Millennium Summit and the financing for development event; and the need to highlight also the examples of least developed countries which were successfully heading towards possible graduation.

37. Given that the intergovernmental preparatory process had been launched with the holding of the first session of the Intergovernmental Preparatory Committee, consultations among participants would have to continue during the inter-sessional period through mechanisms to be decided by the Committee. Those mechanisms would supersede the Consultative Forum.

J. Advocacy and promotion for the Conference

38. The Conference secretariat has formulated, in close cooperation with the Department of Public Information, a communication strategy for the Conference. The strategy will focus on:

(a) In the least developed countries: increasing awareness, mobilizing grass-roots involvement and building confidence;

(b) In donor countries: increasing public awareness and substantive knowledge of the issues and mobilizing greater political support and resources for action.

39. The Secretary-General of the Conference has sent a special request to the United Nations Postal Administration (UNPA) to issue a special stamp for the Conference. He has also requested UNPA to produce appropriate souvenirs on the Conference to facilitate advocacy and promotion, particularly by NGOs.

40. A brochure has been issued providing brief information on least developed countries and on the Conference, its objectives and preparatory process.

41. The Conference secretariat participated in Geneva 2000 Forum, from 26 to 30 June 2000, on the occasion of the five-year review of the World Summit for Social Development, in the form of a one-day seminar on selected issues of relevance to the forthcoming

Conference. It also featured a least developed countries stand. The Conference secretariat also participated in the United Nations pavilion at Expo 2000 in Hanover, through visual displays and distribution of relevant publications on least developed countries. A special event featuring least developed countries day is scheduled there for early September 2000.

42. A logo or emblem for the Conference has been prepared by the Conference secretariat in consultation with the Department of Public Information.

K. Special meeting of ministers of the least developed countries

43. A special meeting of ministers of least developed countries, chaired by the Minister of Foreign Affairs of Bangladesh, was convened on 14 April 2000 in Havana on the occasion of the G-77 South Summit. The meeting was addressed by the Deputy Secretary-General of UNCTAD and the Executive Secretary of the United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification particularly in Africa. The ministers reviewed progress in the preparatory process for the Conference at the country and global levels, and adopted a communiqué in which they reaffirmed their commitment to ensuring effective and successful country-level preparations for the Conference as a basis for formulating and adopting a concrete, action-oriented and measurable global programme of action. They recommended convening a ministerial-level meeting prior to the Conference to serve as a forum to exchange views and coordinate the position of their countries on issues to be addressed by the Conference. The ministers solicited the assistance of the Secretary-General of the Conference in providing support to the organizational and substantive aspects of the aforementioned ministerial meeting.

L. Resource mobilization for the preparatory process for the Conference

44. Support has been offered from the European Union, which has in principle granted 80,000 euros per least developed country for the country-level preparatory process. Other donors who have pledged support include Belgium ($250,000), Finland (2 million Finnish markkaa), France ($100,000), the Holy See ($6,000), Italy ($200,000), Netherlands ($900,000), Norway ($1 million), Spain ($100,000) and Sweden ($500,000). A private firm, A and P Partners, based in Zurich, has pledged US$ 100,000 for the preparatory process of the Conference. The pledges made so far amount to about one third of the total budget for the preparatory activities for the Conference. Therefore, other donors are called upon to contribute as soon as possible.

M. Participation of representatives of least developed countries in the Intergovernmental Preparatory Committee and the Conference

45. The General Assembly, at its resumed fifty-fourth session, welcomed the voluntary contributions for financing of the activities related to the first session of the Intergovernmental Preparatory Committee. The General Assembly decided that, as a precautionary measure, should sufficient extrabudgetary resources not be immediately available for the financing of the first session of the Committee, use would be made, on a provisional basis, of the Contingency Fund, on the understanding that the Contingency Fund would be replenished by extrabudgetary resources as soon as they were available. It also decided to revert at its fifty-fifth session to the issue of the financing of the second session of the Committee and the Conference itself.

N. Civil society, including non-governmental organizations and the private sector

46. The Liaison Committee for Development NGOs to the European Union is the focal point and t Convener of NGO activities for the Conference. In this respect, an NGO steering group, composed of European NGO networks and Belgian umbrella NGOs, are currently finalizing the organization of different aspects of NGOs' participation in the Conference. An NGO forum will be organized as a parallel event to the Conference and an NGO fair will also be organized. In concert with the first session of the Intergovernmental Preparatory Committee, held from 24 to 28 July 2000 in New York, an NGO preparatory forum was scheduled to take place to discuss the substantive agenda for the NGO Forum.

47. Efforts are being made to mobilize NGOs (as well as the private sector and academic community) to participate in the national preparatory committees set up in each least developed country. Follow-up missions by the two regional coordinators for civil society (one for French-speaking countries and one for English-speaking countries) are taking place.

48. The International Chamber of Commerce (ICC) has suggested the forthcoming ICC Conference, to be held in Nigeria in 2000, as one possible forum to reach the business community in order to make them aware of the Conference.

O. Integrating gender perspective in least developed countries' national programmes of action

49. Preparations are being made for organizing a meeting, in partnership with multilateral and bilateral development partners, on integrating gender perspective in least developed countries' national programmes of action. The meeting will take stock of country experiences in this respect and examine both successes and constraints. The outcome of the meeting is to be a set of specific capacity-building recommendations for inclusion in the global action programme.